

Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbalà
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugaisky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaston
Theodore A. Wood
Elizabeth J. Haanes

Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhulier
Rae Lynn P. Guest
George S. Bardmesser
Daniel A. Klein*
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamagie
Tracy L. Muller*
LuAnne M. DeSantis
Ann E. Summerfield
Aric W. Ledford*
Helene C. Carlson
Timothy A. Doyle*
Gaby L. Longsworth
Lori A. Gordon*
Nicole D. Dretar*

Ted J. Ebersole
Jyoti C. Iyer*
Laura A. Vogel

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Aaron L. Schwartz
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford
Michelle K. Holoubek
Robert H. DeSels
Simon J. Elliott

Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Michael G. Penn
Christopher J. Walsh

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

January 5, 2005

WRITER'S DIRECT NUMBER:
(202) 772-8835
INTERNET ADDRESS:
TFIALA@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2183

Re: U.S. Utility Patent Application
Application No. 10/700,485; Filed: November 5, 2003
For: **High-Performance, Superscalar-Based Computer System With Out-Of-Order Instruction Execution**
Inventors: NGUYEN *et al.*
Our Ref: SP015.C17 (1397.028000H)

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form;
2. Communication;
3. Terminal Disclaimer To Obviate A Double Patenting Rejection Over A "Prior" Patent;
4. Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Pending "Reference" Application;
5. PTO-2038 Credit Card Payment Form in the amount of \$260.00 to cover the (2) Terminal Disclaimer fees; and
6. ONE (1) return postcard.

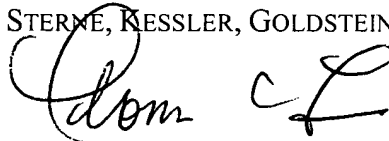
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
January 5, 2005
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'Tom C. Fiala', is written over the printed name.

Thomas C. Fiala
Attorney for Applicants
Registration No. 43,610

TCF/mjg
Enclosures

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

Significant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 260.00

Complete if Known

| | |
|----------------------|-------------------------|
| Application Number | 10/700,485 |
| Filing Date | November 5, 2003 |
| First Named Inventor | Le Trong NGUYEN |
| Examiner Name | To Be Assigned |
| Art Unit | 2183 |
| Attorney Docket No. | SP15.C17 (1397.028000H) |

METHOD OF PAYMENT (check all that apply)
☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES**Fee Description**

| | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent | 50 | 25 |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---|--------------|----------|---------------|---------------------------|----------|---------------|
| - 20 or HP | = | x | = | | | |
| HP = highest number of total claims paid for, if greater than 20 | | | | | | |
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | | | |
| - 3 or HP | = | x | = | | | |
| HP = highest number of independent claims paid for, if greater than 3 | | | | | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | / 50 = | (round up to a whole number) x | = | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: \$260.00 to cover (2) terminal disclaimer fees

\$260.00

SUBMITTED BY

| | | | | | |
|-------------------|------------------------|-----------------------------------|--------|-----------|----------------|
| Signature | <i>Thomas C. Fiala</i> | Registration No. (Attorney/Agent) | 43,610 | Telephone | (202) 371-2600 |
| Name (Print/Type) | Thomas C. Fiala | Date | 1/5/05 | | |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NGUYEN *et. al.*

Application No.: 10/700,485

Filed: November 5, 2003

For: **High-Performance, Superscalar-
Based Computer System With Out-
Of-Order Instruction Execution**

Confirmation No.: 7752

Art Unit: 2183

Examiner: To Be Assigned

Atty. Docket: SP015.C17 (1397.028000H)

Communication

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

By a phone call of November 30, 2004, Examiner Daniel Pan requested that Applicants provide terminal disclaimers in the present application that include U.S. Patent Nos. 5,539,911, 5,689,720, 6,092,181, 6,038,654, 6,256,720 and 6,647,485 as well as co-pending U.S. Patent Application Nos. 10/282,045; 10/282,207; 10/283,177; 10/283,106; 10/660,671; 10/697,257; and 10/700,520. Accordingly, Applicants file herewith a Terminal Disclaimer to Obviate a Double Patenting Rejecting over the identified U.S. Patents and a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over the identified co-pending U.S. Patent Applications.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Thomas C. Fiala
Attorney for Applicants
Registration No. 43,610

Date: 1/5/05
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600